

MINUTES

**MONTANA SENATE
59th LEGISLATURE - REGULAR SESSION**

CONFERENCE COMMITTEE ON HOUSE AMENDMENTS TO SENATE BILL 120

Call to Order: By **CHAIRMAN MIKE COONEY**, on April 20, 2005 at
11:02 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Mike Cooney, (D), Chairman
Sen. Bob Keenan, (R)
Rep. Christine Kaufmann, Chairman (D)
Sen. Jon Tester, (D)
Rep. Walter McNutt, (R)
Rep. Rick Ripley, (R)
Rep. Caferro, (D)

Members Excused: None.

Members Absent: None.

Staff Present: Peg Holwick, Committee Secretary
Jon Moe, Legislative Staff

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: SB 120

{Tape: 1; Side: A}

Motion: REP. MCNUTT moved amendment SB012001.asb to SB 120.

EXHIBIT(ccs85sb0120a01)

Discussion:

SEN. KEENAN asked about procedures regarding the Governor's amendments.

CHAIRMAN COONEY allowed public testimony, and directing questions to **Jon Moe, Legislative Staffer**.

Mr. Greg Petesch, Code Commissioner, was called to clarify the Governor's amendments which were rejected on the House floor on 4/19/2005. The new amendment, **SB012001.asb** was the agreed upon language. The Governor's amendments, therefore, were not applicable to the bill.

SEN. KEENAN said you could cut through the bill language to the key words which were: "collection of the utilization fee", and, "must cease if the court issues the final order and the state expenditure limit has been exceeded". He was concerned about what would happen in December 2005 since the CAP is a biennial budget issue and not just applicable to this session.

Mr. Greg Petesch entered the committee room.

SEN. COONEY explained that the CAP tends to change on a regular basis. There will be new numbers coming in from the Department of Labor in about three months. The CAP will be volatile throughout the biennium and is a "moving target" because of shifts in federal numbers.

CHAIRMAN COONEY asked **Mr. Petesch** to clarify the previous questions about the Governor's amendments to which he replied, "The Governor's amendments are never on the bill until both houses accept them, which is why you don't vote on them on third reading also".

11:08

Vote: The motion to accept amendment SB012001.asb carried 6-1 by voice vote with SEN. KEENAN voting no.

Motion/Vote: SEN. TESTER moved THE ADOPTION OF THE COMMITTEE REPORT. Motion carried 6-1 by roll call vote with SEN. KEENAN

voting no. The Standing Committee Report was circulated for signatures from all committee members prior to adjournment.

ADJOURNMENT

Adjournment: 11:20 A.M.

SEN. MIKE COONEY, Chairman

PEG HOLWICK, Secretary

CK/MC/ph

Additional Exhibits:

EXHIBIT ([ccs85sb0120aad0.TIF](#))